IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

Bail Appl..No. 7503 of 2007()

CMP.7151 & 7152/2007 of J.M.F.C.,TALIPARAMBA
CRIME NO.701/07 OF TALIPARAMBA POLICE STATION, KANNUR

.....

PETITIONER : ACCUSED NO.3

P.P.PRADEEP, S/O.KUNHUNNI, AGED 28 YEARS,
`SMRUTHI', NEAR THAVANOOR COLLEGE,
PONNANI, MALAPPURAM DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI

RESPONDENTS: COMPLAINANT

STATION HOUSE OFFICER, TALIPARAMBA POLICE STATION
KANNUR DISTRICT (CRIME NO.701/07 OF TALIPARAMBA
POLICE STATION, KANNUR DISTRICT) REP. BY
PUBLIC PROSECUTOR , HIGH COURT OF KERALA AT
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7503 of 2007

Dated this the 12th day of December, 2007

ORDER

Application for regular bail. Petitioner faces allegations for offences punishable, inter alia, under Section 307 r/w 149 I.P.C. The incident was a sequel to the conflict between R.S.S and C.P.M activists in the locality. The alleged incident occurred on 23.11.07. The petitioner is the 3rd accused. Altogether there are 11 accused persons. There is only one injured. He has suffered serious injuries. Swords were the weapons used. The petitioner owes allegiance to the R.S.S, whereas the victim allegedly owes allegiance to the C.P.M. The petitioner was arrested on 23.11.07. He continues in custody from that date.

2. The learned Public Prosecutor points out that the victim has suffered serious injuries including a fracture. Investigation is not complete. Some of the co-accused remain to be arrested. Investigators may be given some further time to complete the investigation and the petitioner may be excluded from the local area to avoid any possibility of threat to the law and order situation.

3. I have considered all the relevant inputs. I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 22.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so;

iv) During the said period of 2 months, the petitioner shall not enter the jurisdiction of Taliparamba Police Station without the prior permission of the learned Magistrate except for the purpose of complying with condition No.iii above.

(R.BASANT, JUDGE)

rtr/-